SLR:dm 11/14/03 234867.doc Attorney Reference Number 7013-67324 PATENT

EXPRESS MAIL LABEL NO. EV339203617US DATE OF DEPOSIT: November 20, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP PATENT APPLICATION **COMMISSIONER FOR PATENTS** P.O. BOX 1450 **ALEXANDRIA, VA 22313-1450**



Transmitted herewith for filing is the continuing patent application of:

For:

| Invent | or: Santosh Misra, Ph.D. and William W. | Kay, Ph.D. | · A | | | | | | |
|-------------------------|---|--|------------------------|--|--|--|--|--|--|
| For: | TRANSGENIC PLANTS THAT ARE RETO A BROAD SPECTRUM OF PATHO | | 136 A) See Nuxt. pg.) | | | | | | |
| Enclo | sed are: | | (See | | | | | | |
| \boxtimes | 37 pages of specification, 3 pages of claims, and an abstract. | | | | | | | | |
| \boxtimes | 3 sheets of drawings. | | | | | | | | |
| Ø | 3 pages of an Oath or Declaration: A copy of oath or declaration filed with the prior application (37 C.F.R.§ 1.63(d)). | | | | | | | | |
| Ø | Nucleotide and/or Amino Acid Sequence Computer Readable Copy. Paper Copy (identical to compute Statement in compliance with 37 | cid Sequence Submission: Copy. al to computer copy), 11 pages. iance with 37 C.F.R. § 1.821 verifying identity of above copies. ion to: University of Victoria Innovation and Development | | | | | | | |
| \boxtimes | An assignment of the invention to: University of Victoria Innovation and Development Corporation, a Recordation Cover Sheet, and the Recordal fee of \$40.00. | | | | | | | | |
| X | Preliminary Amendment. | | | | | | | | |
| \boxtimes | Information Disclosure Statement. | | | | | | | | |
| \boxtimes | Form PTO-1449. | | | | | | | | |
| Continuing Application: | | Information from Prior Application: | | | | | | | |
| | ☐ Continuation ☑ Divisional ☐ Continuation-in-part (CIP) | Prior Application Number: 09/936,885 Examiner: David H. Kruse Art Unit: 1638 | | | | | | | |

Please enter the preliminary amendment prior to calculation of fees. The fee has been calculated as shown in the table below.

| | Claims | Number | | Number | | Basic Fee |
|----------------------|--------|----------|---|----------|----------|-----------|
| For | Filed | Allotted | | Extra | Rate | \$385.00 |
| Total Claims | 15 | 20 | = | 0 | \$9.00 | \$0.00 |
| Independent Claims | 6 | 3 | = | 3 | \$43.00 | \$129.00 |
| Multiple Dependent C | | | | \$145.00 | \$0.00 | |
| TOTAL FILING FEE | | | | | \$514.00 | |

- Small entity status is claimed for this application.
- A check in the amount of \$554.00 to cover the filing fee and the assignment recordal fee is enclosed.
- Assignee for this application is or will be University of Victoria Innovation and Development Corporation, and Applicants request that this information be listed on the published application.
- The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference herein.
- The Director is hereby authorized to charge any additional fees which may be required in connection with the filing of this application and recording any assignment filed herewith, or credit over-payment, to Account No. 02-4550. A copy of this sheet is enclosed.
- Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

Registration No. 47,913

One World Trade Center, Suite 1600

121 S.W. Salmon Street Portland, Oregon 97204 Telephone: (503) 226-7391

Facsimile: (503) 228-9446

cc: Docketing

136A